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FILED

SEP 2 4 2008

BOARD OF PHARMACY

By: Megan Cordoma
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                                    STATE OF NEW JERSEY
                                    DEPARTMENT OF LAW & PUBLIC SAFETY
                                    DIVISION OF CONSUMER AFFAIRS
                                    STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION   :   Administrative Action
OR REVOCATION OF THE LICENSE OF
                                          :
                                          :   **CONSENT ORDER OF**
MARK SZARZEWSKI, R.P   :   **REINSTATEMENT**
License No.   28R102559900
                                          :
                                          :
TO PRACTICE PHARMACY IN THE   :
STATE OF NEW JERSEY   :
                                          :

This matter was opened to the New Jersey State Board of Pharmacy upon the request of respondent for reinstatement of his license to practice pharmacy. Respondent's license was surrendered on July 13, 2005 by a Consent Order after his employment was terminated for abusing drugs. On July 9, 2008, respondent appeared with counsel and testified as to his current sobriety and remorse for having diverted medications. The Board heard information regarding respondent's rehabilitative efforts.

The Board is concerned that respondent was the subject of a prior Board Order filed on February 3, 2005. That Order was issued after respondent appeared before the Board and testified as to his then current sobriety. Respondent agreed to work in an environment where he had no access to medications. Despite his

compliance with that condition, respondent was able to successfully divert medications from a pharmacy by calling in fraudulent prescriptions using names from his employers data base. That conduct led to the July 2005 Order of Surrender of License. Due to the Board's concerns regarding respondent's prior activity, any reinstatement of license must include assurance that he will not have access to any medications.

Respondent, being desirous of resolving this matter without the necessity of further formal proceedings, and agreeing to waive any right to same, and the Board having determined that this Order is sufficiently protective of the public health, safety and welfare; and all parties agreeing to the terms of this Order,

IT IS THEREFORE ON THIS 24ᵗʰ DAY OF SEPTEMBER 2008, ORDERED AND AGREED THAT:

1.   Respondent shall submit to the Board proof of all applicable continuing education credits and pay all required fees. Thereafter respondent's license to practice pharmacy shall be reinstated subject to the following conditions. Respondent's license shall be reinstated following compliance with the Criminal History Background Check and all other application requirements.

2.   Respondent shall refrain from obtaining any employment where he has access to any medications including but not limited to, controlled dangerous substances.

3.   A copy of this Order shall be provided to all employers where a pharmacy license is required for employment or where the respondent has access to medication, prescriptions or patient profiles. If notice is required under the foregoing, the respondent shall ensure that each employer notifies the Board in

writing that he or she has received this Order. The respondent shall inform the Board in writing of any employment changes and shall also provide a detailed description of his job, role and responsibilities.

4. Respondent shall attend support group meetings of alcoholics anonymous at a frequency of not less than three meetings per week.

5. Respondent may request modification of the Order no earlier than July 8, 2011. If respondent makes such an application, it shall be in writing and accompanied by an in depth and current psychological written evaluation that is satisfactory to the Board and is performed by Frank J. Dyer, Ph.D., or other psychologist approved in advance by the Board. Thereafter, the Board will schedule an appearance.

NEW JERSEY STATE BOARD OF PHARMACY

By: _____
Edward G. McGinley, R.Ph.
President

I have read the within Order,
understand its terms and agree
to be bound by them. I
consent to entry of the Order
by the Board of Pharmacy.

_____
Mark Szarzewski, R.P.
Respondent

Consent as to form and entry

_____
Pamela Mandel, Esq.
Counsel for Respondent